

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In re: Application)	
)	
of)	
)	
THREE ANGELS BROADCASTING)	
NETWORK, INC.)	File No.
)	
to relocate LPTV facilities onto Channel 51)	BDISDTL-20100601 AHC
in the vicinity of Rochester, MN)	

PETITION TO DENY OR DEFER ACTION

King Street Wireless, L.P. (“King Street”), by counsel and pursuant to Section 309 of the Communications Act of 1934 as amended, hereby submits its Petition to Deny or Defer Action (“Petition”) with respect to the captioned application (the “Application”). For the reasons set forth below, King Street submits that grant of the Application, would not serve the public interest, and that the Application should therefore be dismissed.

King Street holds many Commercial Mobile Radio Service (“CMRS”) licenses for 700 MHz Block A facilities. Those Licenses were acquired pursuant to Action No. 73. The Block A spectrum is immediately adjacent to television Channel 51. As such, operations on Channel 51 and on Block A could interfere with each other. (See generally the Commission’s many pronouncements leading to the auction of Block A spectrum acknowledging the potential for interference between that spectrum and television Channel 51.

The commission’s rules are clear that LPTV stations are “secondary” in terms of priority relative to CMRS licensees. So there is no question regarding the need for an LPTV applicant to either modify facilities or discontinue service entirely in the event of interference.

Notwithstanding the above, neither modification nor discontinuance would be pain-free. It would serve no public interest for a LPTV licensee to put forth effort and costs only to subsequently have to discontinue service. Most certainly, viewers would not benefit from such a change of course. Similarly, the public interest would not be furthered by argument, or even discussion, between the parties regarding the extent of interference, or the best way to alleviate it, or the timing of remedial efforts. (See comments of Verizon Wireless in Docket MD 03-185, where Verizon recounts an LPTV licensee refusing to relocate until interference was proven to the satisfaction of the LPTV licensee.)

This is not the only proceeding in which the issue of LPTV relocation is being addressed. Specifically, this issue is under consideration in Docket MB 03-185. King Street submits that, in the event the Commission is not prepared to dismiss the Application outright, it should defer actions on it until the Commission rules in the context of its on-going rulemaking in Docket MB 03-185.

WHEREFORE, King Street urges the Commission to either dismiss the captioned application or defer action on it pending generic rulemaking decisions to be made in Docket MB 03-185.

Respectfully submitted,

King Street Wireless, L.P.

By: /s/ Thomas Gutierrez
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Its Attorney

January 18, 2011

DECLARATION

I, Allison Cryor DiNardo, do hereby declare, under penalty of perjury, as of the 18th day of January, 2011, the following:

- 1) I control King Street Wireless, LP, by virtue of controlling the sole general partner in King Street;
- 2) I have reviewed the associated Petition to Deny or Defer Action, and
- 3) To the best of my knowledge, other than facts that are a matter of public record, all facts stated in the Petition are true and accurate in all material respects.

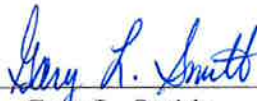

Allison Cryor DiNardo

CERTIFICATE OF SERVICE

I, Gary L. Smith, do hereby certify that on this 18th day of January, 2011, I caused copies of "*Petition to Deny or Defer Action*" to be served upon the following, by U.S. mail:

Moses Primo

Three Angels Broadcasting Network, Inc.
P.O. Box 220
West Frankfort, IL 62896



Gary L. Smith